

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

SAMUEL E. GRIFFITH,)	
)	
Plaintiff,)	
)	
VS.)	CIVIL ACTION NO.
)	
CINEPOLIS USA, INC., and BRINKER)	3:20-CV-3455-G-BN
INTERNATIONAL, INC.,)	
)	
Defendants.)	

**ORDER ACCEPTING FINDINGS, CONCLUSIONS, AND
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

On June 28, 2021, the United States Magistrate Judge made findings, conclusions, and a recommendation in this case. No objections were filed. However, on July 11, 2021, the plaintiff Samuel E. Griffith (“Griffith”) filed an amended complaint without leave of court. The district court reviewed the proposed findings, conclusions, and recommendation for plain error. Finding none, the court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

The court therefore **GRANTS IN PART** and **DENIES IN PART** the motion to dismiss or, in the alternative, for a more definite statement filed by the defendant

Brinker International, Inc. (“Brinker”) (docket entry 7) insofar as the court
DISMISSES Griffith’s claims against Brinker for failure to plausibly allege a claim.
Because the court agrees that Griffith should be allowed leave to file an amended
complaint, and because he has already exercised that leave, this case is returned to
the United States Magistrate Judge for further pretrial management.

SO ORDERED.

July 20, 2021.



A. JOE FISH
Senior United States District Judge